

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:10cr44

UNITED STATES OF AMERICA,)	
)	
Appellee,)	
)	
)	
vs.)	<u>ORDER</u>
)	
)	
ELIZABETH M. O’NAN.)	
)	
Appellant.)	
_____)	

THIS MATTER is before the Court on the Appellant’s “Notice of Appeal from a US Magistrate Judge’s decision.” [Doc. 2].

On December 11, 2009, the Appellant Elizabeth M. O’Nan was issued a citation for blocking, restricting, or otherwise interfering with the use of a road, trail or gate, in violation of 36 C.F.R. § 261.12(d). [Doc. 1].

On June 22, 2010, the Appellant was found guilty of this offense by the Honorable Dennis L. Howell, United States Magistrate Judge, and was ordered to pay a fine of \$500, a \$10 assessment, and a \$25 processing fee, as well as restitution in the amount of the \$3,250 to the United States Forest Service. The Appellant further was ordered not to interfere with the

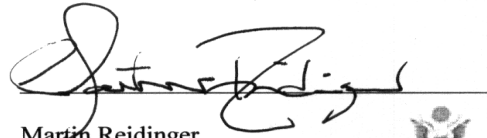
use of Forest Service Road 118A in any manner for a period of five (5) years. [Judgment in a Criminal Case, Doc. 1]. The Appellant filed a timely Notice of Appeal from the Magistrate Judge's Judgment on July 6, 2010. [Doc. 2].¹

A timely notice of appeal having been filed, the Court therefore will enter a scheduling order for the briefs on appeal.


IT IS, THEREFORE, ORDERED that the Appellant shall file her brief on appeal on or before thirty days from entry of this Order. The Appellee shall file its brief on or before thirty days from the filing of the Appellant's brief.

IT IS SO ORDERED.

Signed: July 7, 2010



Martin Reidinger
United States District Judge



¹The Court notes that the Notice of Appeal is not signed by the Appellant.